

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION

Robert Jenkins, #359971,	)	C/A No. 2:05-3544-RBH
	)	
Plaintiff,	)	
	)	
vs.	)	<b>O R D E R</b>
	)	
Bureau of Prisons; and Ms. McKoy,	)	
	)	
Defendants.	)	
_____	)	

The Plaintiff, pro se, instituted this action on December 28, 2005. Plaintiff claims that personnel at FCI-Butner in Butner, North Carolina failed to protect him from an assault by a fellow detainee and failed to provide timely medical assistance after he was cut with a razor by the detainee. In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02 D.S.C., this matter was referred to United States Magistrate Judge Robert S. Carr, for pretrial handling. On December 28, 2005, the Magistrate Judge ordered that the case should be transferred to the Eastern District of North Carolina. The Order contained a Notice that the matter was reviewable by a United States District Judge upon appeal filed within ten days.

The plaintiff filed a letter on January 9, 2006 stating that he did not receive the third page of the order and also requesting that the papers be sent to the Eastern District of North Carolina. The entire order of Judge Carr, including the third page, was mailed by the Clerk of Court to the plaintiff on January 12, 2006. On January 23, 2006, the plaintiff filed a letter, stating “I would like the courts to transfer my case to the Eastern District of North Carolina.”

Inasmuch as the plaintiff has consented to the transfer of the case to the Eastern District of

North Carolina, his “appeal” is **DISMISSED**. The case is hereby transferred to the Eastern District of North Carolina. Any issues regarding payment of the filing fee and/or AEDPA/PLRA frivolity shall be addressed in the transferee court.

**IT IS SO ORDERED.**

s/R. Bryan Harwell  
R. Bryan Harwell  
United States District Judge

February 23, 2006  
Florence, SC